



Order Filed on September 16, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1(b)

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Mortgage Servicing as servicer for 1900 Capital
Trust II, by U.S. Bank Trust National Association,
not in its individual capacity but solely as
Certificated Trustee*

In Re:

Anthony R Gonnella

Debtors.

Case No.: 18-34305-SLM

Chapter: 7

Hearing Date: September 10, 2019

Judge: Stacey L. Meisel, U.S.B.J.

Recommended Local Form


☐ Followed

☒ Modified

ORDER VACATING AUTOMATIC STAY

The relief set forth on the following pages is hereby **ORDERED**.

DATED: September 16, 2019


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Debtor: Anthony R Gonnella
Case No.: 18-34305-SLM
Caption of Order: Order Vacating Automatic Stay

Upon the Motion of **NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for 1900 Capital Trust II, by U.S. Bank Trust National Association, not in its individual capacity but solely as Certificated Trustee**, on behalf of itself and its successors and/or assigns (hereinafter collectively "Secured Creditor" and/or Movant), under Bankruptcy Code Section 362(d) for relief from the automatic stay as to certain real property as hereinafter set forth, and for cause shown,

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's right in the following:

Real property more fully described as: **62 Mary Ann Road, Oak Ridge, NJ 07438**, also known as Block 509, Lot 6 as shown on the Tax Map of the Township of Jefferson, Morris, New Jersey.

It is further ORDERED that the Movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the Movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtors.

The movant shall serve this Order on the debtor(s), any trustee and any other party who entered an appearance on the motion.

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